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12  
13 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
14  
15 STATE OF CALIFORNIA  
16

17 In the Matter of ) FPPC No.: 01/215  
18 )  
19 )  
20 ) STIPULATION, DECISION and  
21 TERRY MORGAN and TERRY MORGAN ) ORDER  
22 )  
23 FOR WEST HOLLYWOOD CITY COUNCIL, )  
24 )  
25 )  
26 Respondents. )  
27 )  
28 )

Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents Terry Morgan and Terry Morgan for West Hollywood City Council hereby agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in section 18361 of title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at

1 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to  
2 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over  
3 the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondent Terry Morgan violated the Political Reform  
5 Act by accepting a contribution of more than \$250 from a party to a proceeding, in violation of section  
6 84308, subdivision (b) of the Government Code (1 count), and Respondents Terry Morgan and Terry  
7 Morgan for West Hollywood City Council violated the Political Reform Act by failing to timely file a  
8 semi-annual campaign statement in violation of section 84200, subdivision (a) of the Government Code  
9 (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference, as  
10 though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

11 Respondents agree to the issuance of the decision and order, which is attached hereto.  
12 Respondents also agree to the Commission imposing upon them an administrative penalty of One  
13 Thousand Dollars (\$1,000), and additionally upon Respondent Terry Morgan an administrative penalty  
14 in the amount of One Thousand Five Hundred Dollars (\$1,500), for a total administrative penalty of  
15 Two Thousand Five Hundred Dollars (\$2,500). A cashier's check from Respondents in the sum of  
16 Three Hundred Dollars (\$300), payable to the "General Fund of the State of California," is submitted  
17 with this stipulation as partial payment of the administrative penalty, and shall be held by the State of  
18 California until the Commission issues its Decision and Order regarding this matter. Thereafter,  
19 Respondents agree to pay Two Thousand Two Hundred Dollars (\$2,200) in eleven (11) consecutive  
20 monthly payments of \$200, commencing on February 15, 2005 until paid in full. Respondents further  
21 agree that a civil judgment may be entered and executed upon them for the balance owing plus interest  
22 and costs of suit, if Respondents fail to make payments pursuant to the agreed-upon monthly schedule.

23 The parties agree that in the event the Commission refuses to accept this stipulation, it shall  
24 become null and void, and within fifteen (15) business days after the Commission meeting at which the  
25 stipulation is rejected, all payments tendered by Respondents in connection with this stipulation shall be  
26 reimbursed to Respondents. Respondents further stipulate and agree that in the event the Commission  
27 rejects the stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither  
28 any member of the Commission, nor the Executive Director, shall be disqualified because of prior  
consideration of this stipulation.

1  
2 Dated: \_\_\_\_\_

\_\_\_\_\_  
Mark Krausse  
Executive Director  
Fair Political Practices Commission

3  
4  
5  
6 Dated: \_\_\_\_\_

\_\_\_\_\_  
Terry Morgan, individually and on behalf of Terry Morgan  
for West Hollywood City Council, Respondents

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8  
9  
10 **DECISION AND ORDER**

11 The foregoing stipulation of the parties “In the Matter of Terry Morgan and Terry Morgan for  
12 West Hollywood City Council, FPPC No. 01/215,” including all attached exhibits, is hereby accepted as  
13 the final decision and order of the Fair Political Practices Commission, effective upon execution below  
14 by the Chairman.

15  
16 IT IS SO ORDERED.

17  
18 Dated: \_\_\_\_\_

\_\_\_\_\_  
Liane M. Randolph, Chairman  
Fair Political Practices Commission